

General Docket
United States Court of Appeals for District of Columbia Circuit

Court of Appeals Docket #: 18-3071

Docketed: 10/10/2018

In re: Grand Jury Subpoena

Termed: 12/18/2018

Appeal From: United States District Court for the District of Columbia

Fee Status: Fee Paid

Case Type Information:

- 1) Grand Jury
- 2) Other Criminal
- 3)

Originating Court Information:

District: 0090-1 : [1:18-gj-00041-BAH](#)

Lead: [1:18-gj-00041-BAH](#)

Court Reporter: Elizabeth Saint-Loth, Court Reporter

Trial Judge: Beryl A. Howell, U.S. District Judge

Date Filed: 08/16/2018

Date Order/Judgment:

10/05/2018

Date NOA Filed:

10/09/2018

Prior Cases:

None

Current Cases:

None

Panel Assignment:

Panel: DST TBG SFW



Date of Hearing: 12/14/2018




Date of Decision: 12/18/2018



Date Completed: 12/18/2018

10/10/2018	GRAND JURY CASE docketed. [18-3071] [Entered: 10/10/2018 10:23 AM]
10/10/2018	SEALED NOTICE OF APPEAL [1754466] seeking review of a decision by the U.S. District Court in 1:18-gj-00041-BAH filed by appellant. Appeal assigned USCA Case Number: 18-3071. [18-3071] [Entered: 10/10/2018 10:25 AM]
10/10/2018	SEALED NOTICE [1754520] received from the Clerk of the U.S. District Court for payment of the docketing fee. [18-3071] [Entered: 10/10/2018 01:25 PM]
10/10/2018	SEALED ENTRY OF APPEARANCE [1754566] filed by appellee. [18-3071] [Entered: 10/10/2018 03:51 PM]

10/10/2018	SEALED JOINT MOTION [1754568] to expedite and set briefing schedule filed by parties. [Service Date: 10/10/2018] Length Certification: 113 words. [18-3071] [Entered: 10/10/2018 03:53 PM]
10/12/2018	SEALED PER CURIAM ORDER [1755073] filed granting the joint motion to expedite and to set a briefing schedule [1754568-2]; setting briefing schedule: APPELLANT Brief due 10/23/2018. APPENDIX due 10/23/2018. APPELLEE Brief due on 11/07/2018. APPELLANT Reply Brief due 11/14/2018. Before Judges: Rogers, Srinivasan and Wilkins. [18-3071] [Entered: 10/12/2018 04:13 PM]
10/22/2018	SEALED CLERK'S ORDER [1756345] filed scheduling oral argument on Friday, 12/14/2018. [18-3071] [Entered: 10/22/2018 01:17 PM]
10/23/2018	SEALED ENTRY OF APPEARANCE [1756609] filed by appellee. [18-3071] [Entered: 10/23/2018 11:06 AM]
10/23/2018	SEALED APPELLANT BRIEF [1756693] filed by appellant [Service Date: 10/23/2018] Length of Brief: 12904 words. [18-3071] [Entered: 10/23/2018 01:49 PM]
10/23/2018	SEALED APPENDIX [1756695] filed [Volumes: 1] [Service Date: 10/23/2018] [18-3071] [Entered: 10/23/2018 01:51 PM]
11/07/2018	SEALED APPELLEE BRIEF [1759161] filed [Service Date: 11/07/2018] Length of Brief: 12,970 words. [18-3071] [Entered: 11/08/2018 11:24 AM]
11/07/2018	SEALED MOTION [1759196] filed by appellee (Service Date: 11/07/2018 by mail) Length Certification: 2 pages. [18-3071] [Entered: 11/08/2018 01:02 PM]
11/07/2018	SEALED APPELLEE BRIEF [1759198] lodged [Service Date: 11/07/2018] Length of Brief: 12,970 words. [18-3071] [Entered: 11/08/2018 01:04 PM]
11/07/2018	SEALED MOTION [1759200] filed by appellee (Service Date: 11/07/2018 by US Mail) Length Certification: 2 pages. [18-3071] [Entered: 11/08/2018 01:05 PM]
11/07/2018	SEALED SUPPLEMENTAL APPENDIX [1759201] lodged. [Volumes: 1] [Service Date: 11/07/2018] [18-3071] [Entered: 11/08/2018 01:06 PM]
11/14/2018	SEALED APPELLANT REPLY BRIEF [1759865] filed by appellant [Service Date: 11/14/2018] Length of Brief: 6,487 words. [18-3071] [Entered: 11/14/2018 01:11 PM]
11/15/2018	SEALED NOTICE [1760116] filed by appellant [Service Date: 11/15/2018] [18-3071] [Entered: 11/15/2018 02:44 PM]
11/20/2018	SEALED MOTION [1760866] filed by appellee (Service Date: 11/20/2018 by US Mail) Length Certification: 3,074 words. [18-3071] [Entered: 11/20/2018 03:49 PM]
11/26/2018	SEALED LETTER [1761358] pursuant to FRAP 28j filed by appellant [Service Date: 11/26/2018] [18-3071] [Entered: 11/26/2018 03:36 PM]
11/26/2018	SEALED RESPONSE IN OPPOSITION [1761361] to motion [1760866-2] filed by appellant [Service Date: 11/26/2018 by US Mail] Length Certification: 1609 words. [18-3071] [Entered: 11/26/2018 03:42 PM]

11/30/2018	SEALED PER CURIAM ORDER [1762343] filed allocating oral argument time as follows: Appellant - 15 Minutes, Appellee - 15 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney by 12/07/2018. The parties are advised that the oral argument will take place in a closed session. [18-3071] [Entered: 11/30/2018 12:38 PM]
12/03/2018	SEALED RESPONSE [1762725] to Rule 28j letter filed by appellee [1761358-2] [Service Date: 12/03/2018 by CM/ECF NDA] Length Certification: 2 pages [18-3071] [Entered: 12/03/2018 04:44 PM]
12/03/2018	SEALED REPLY [1762729] in support of motion to strike [1761361-2] filed by appellee [Service Date: 12/03/2018 by CM/ECF NDA] Length Certification: 8 pages. [18-3071] [Entered: 12/03/2018 04:48 PM]
12/06/2018	SEALED MOTION [1763162] filed by appellant (Service Date: 12/06/2018 by US Mail) Length Certification: 191 words. [18-3071] [Entered: 12/06/2018 03:20 PM]
12/10/2018	SEALED PER CURIAM ORDER [1763637] filed granting appellee's motion [1759200-2], granting appellee's motion [1759196-2]; The Clerk is directed to file the lodged supplemental appendix [1759201-2], The Clerk is directed to file Appellee's lodged brief [1759198-2] Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 12/10/2018 04:37 PM]
12/10/2018	SEALED PER CURIAM ORDER [1763645] filed granting appellant's motion [1763162-2] . Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 12/10/2018 05:10 PM]
12/10/2018	PER ABOVE ORDER lodged Appellee brief [1759198-2] is filed [18-3071] [Entered: 12/10/2018 05:42 PM]
12/10/2018	PER ABOVE ORDER lodged supplemental appendix [1759201-2] is filed [18-3071] [Entered: 12/10/2018 05:42 PM]
12/13/2018	SEALED LETTER [1764060] pursuant to FRAP 28j filed by appellant [Service Date: 12/13/2018] [18-3071] [Entered: 12/13/2018 11:14 AM]
12/14/2018	ORAL ARGUMENT HELD before Judges Tatel, Griffith and Williams. Argument closed to public. [18-3071] [Entered: 01/07/2019 12:37 PM]
12/17/2018	SEALED LETTER [1764417] pursuant to FRAP 28j filed by appellant [Service Date: 12/17/2018] [18-3071] [Entered: 12/17/2018 11:09 AM]
12/18/2018	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;">  3 pg, 245.89 KB </div> <div> PER CURIAM JUDGMENT [1764819] filed that the judgment of the District Court appealed from in this cause is hereby affirmed. The Clerk is directed to issue the mandate forthwith. Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 12/18/2018 04:59 PM] </div> </div>
12/18/2018	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;">  1 pg, 38.67 KB </div> <div> MANDATE ISSUED to Clerk, U.S. District Court. [18-3071] [Entered: 12/18/2018 05:08 PM] </div> </div>
12/20/2018	SEALED MOTION [1765234] filed by appellant (Service Date: 12/20/2018 by Email) Length Certification: 3931 words. [18-3071] [Entered: 12/20/2018 02:17 PM]
12/20/2018	SEALED PER CURIAM ORDER [1765302] filed. Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 12/20/2018 04:19 PM]

12/21/2018		SEALED RESPONSE [1765390] to motion [1765234-2] filed by appellee [Service Date: 12/21/2018 by Email] Length Certification: 5,190 words. [18-3071] [Entered: 12/21/2018 11:29 AM]
12/21/2018		SEALED CORRECTED RESPONSE [1765436] to motion [1765234-2] filed by appellee [Service Date: 12/21/2018 by Email] [18-3071] [Entered: 12/21/2018 12:49 PM]
12/21/2018		SEALED REPLY [1765485] filed by appellant to response [1765436-2] [Service Date: 12/21/2018 by Email] Length Certification: 2,530 words. [18-3071] [Entered: 12/21/2018 02:40 PM]
12/21/2018		SEALED PER CURIAM ORDER [1765553] filed denying motion [1765234-2] Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 12/21/2018 04:13 PM]
01/08/2019	 28 pg, 273.32 KB	PUBLIC REDACTED OPINION [1767507] filed PER CURIAM OPINION (Pages: 23), OPINION CONCURRING IN PART and CONCURRING IN THE JUDGMENT (Pages: 5) by Judge Williams [18-3071] [Entered: 01/08/2019 04:15 PM]
01/09/2019	 33 pg, 174.16 KB	MOTION [1767730] to unseal filed by Reporters Committee for Freedom of the Press (Service Date: 01/09/2019 by CM/ECF NDA) Length Certification: 5187. [18-3071] (Boutros, Theodore) [Entered: 01/09/2019 04:13 PM]
01/16/2019		SEALED MOTION [1768733] filed by appellant (Service Date: 01/16/2019 by Email) Length Certification: 246 words. [18-3071] [Entered: 01/16/2019 04:58 PM]
01/16/2019	 4 pg, 121.28 KB	RESPONSE [1771650] to motion to unseal [1767730-2] filed by appellant [Service Date: 01/16/2019 by Email] Length Certification: 86 words. [18-3071] [Entered: 02/01/2019 05:35 PM]
01/17/2019		SEALED MOTION [1768946] filed by appellee (Service Date: 01/17/2019 by CM/ECF NDA) Length Certification: 495 words. [18-3071] [Entered: 01/17/2019 03:48 PM]
01/22/2019		SEALED PER CURIAM ORDER [1769542] filed granting appellee's motion [1768946-2]. Before Judges: Williams, Tatel and Griffith. [18-3071] [Entered: 01/22/2019 02:53 PM]
01/22/2019		SEALED LETTER [1769855] received from the Clerk of the Supreme Court of the United States notifying this court of the following activity in the case before it: A petition for writ of certiorari was filed and placed on the docket on 01/22/2019 as No. 18-948. [18-3071] [Entered: 01/23/2019 04:17 PM]
01/23/2019		SEALED RESPONSE IN OPPOSITION [1769748] to motion [1768733-2] filed by appellee [Service Date: 01/23/2019 by mail] Length Certification: 1,696 words. [18-3071] [Entered: 01/23/2019 01:03 PM]
01/23/2019		SEALED REPLY [1769845] filed by appellant to response [1769748-2] [Service Date: 01/23/2019 by Email] Length Certification: 1,146 words. [18-3071] [Entered: 01/23/2019 04:08 PM]

01/25/2019		SEALED SUPPLEMENT [1770319] to reply [1769845-2] filed by appellant [Service Date: 01/25/2019] [18-3071] [Entered: 01/25/2019 04:00 PM]
01/28/2019	 0 pg, 0 KB	SUPPLEMENT [1770420] to motion to unseal [1767730-2] filed by Reporters Committee for Freedom of the Press [Service Date: 01/28/2019] [18-3071] (Boutrous, Theodore) [Entered: 01/28/2019 11:01 AM]
01/28/2019		SEALED RESPONSE [1770465] to supplement [1770319-2] filed by appellee [Service Date: 01/28/2019 by Email] Length Certification: 137 words. [18-3071] [Entered: 01/28/2019 01:13 PM]
01/29/2019		SEALED PER CURIAM ORDER [1770797] filed. Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 01/29/2019 01:32 PM]
01/29/2019		SEALED RESPONSE [1771117] filed by appellant (Service Date: 01/29/2019 by US Mail) [18-3071] [Entered: 01/30/2019 03:43 PM]
01/31/2019		SEALED RESPONSE [1771251] filed by appellee (Service Date: 01/31/2019 by Email) [18-3071] [Entered: 01/31/2019 11:16 AM]
02/01/2019	 1 pg, 39.85 KB	PER CURIAM ORDER [1771648] filed granting appellant's motion for leave to file publicly its response [1768733-2]. The Clerk is directed to file publicly the response (Exhibit A) that was filed under seal on January 16, 2019. Before Judges: Tatel, Griffith and Williams. [18-3071] [Entered: 02/01/2019 05:29 PM]